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toward the ministerial or parliamentary type of government is not to be expected. His judgment on some of the works cited in his bibliography will doubtless be questioned. Thus he describes Seignobos' "A Political History of Europe since 1814" as "a book against which we must warn." "It contains," he declares, "very bad mistakes, and it is impossible that the author has really investigated his German sources, to which he refers." A number of misspelled names have been noticed among his bibliographical citations. But in spite of any minor defects the work is to be welcomed as affording the most recent and reliable information on the government of Germany. It will doubtless find wide use as a text-book in courses in universities on European governments, and should also prove of great service to the general reader.

WALTER JAMES SHEPARD.

The Diplomatic Protection of Citizens Abroad or the Law of International Claims. By EDWIN M. BORCHARD. (New York: The Banks Law Publishing Company. 1915. Pp. xxxvii, 988.)

There should be no hesitancy in acknowledging at the outset that Dr. Borchard in this scholarly, comprehensive work has made a most important contribution to the knowledge of international law as practically applied. He has mined thoroughly in a vast field of facts and precedents, particularly in the decisions and acts of the Department of State. Having evident freedom of access to its archives, Dr. Borchard has made himself a trustworthy authority on the theory and practice of the United States concerning the international rights and obligations of aliens. There is every evidence throughout the book that the author has consulted and profoundly studied a wide range of authorities and sources.

The method employed by Dr. Borchard in treating this great subject is open to criticism. The monumental work of John Bassett Moore though entitled an *International Law Digest* does not pretend to do much more than present in well edited form an enormous number of valuable precedents and opinions. This material can hardly be said to be presented in completely *digested* form. Dr. Borchard, on the other hand, while not calling his book a "digest," does actually attempt to formulate, to deduce, and to apply general principles and specific rules of international law. His method is somewhat confusing. He

starts out by trying rather laboriously to elaborate a philosophy of the rights of aliens to protection and never abandons his quest. The question keeps reappearing in the discussion of various specific instances. One has the feeling that the author really has not completely solved the problem. In one place (pages 11 to 15), he emphasizes the "rights of humanity" as at least one source of the claim to protection. In another place (p. 353), he states that: "It seems preferable to consider the state's action (of protecting its nationals) as a sanction for the right of international intercourse between states and individuals, according to the standard of conduct and treatment recognized as proper and lawful by international law and practice."

There is no denying that the author's theories are usually of live interest and most suggestive, but unfortunately he is often abrupt, uncertain, and inconclusive in his arguments. The book would have gained in practical value if Dr. Borchard had contented himself by first presenting his imposing array of precedents and opinions, and had then sought to deduce the philosophical conceptions and legal principles involved. To mix the two methods is most unfortunate and constitutes a structural defect of a serious nature. Moreover, the reader comes to realize that he must be somewhat on his guard on account of the author's inconclusive method of treating legal theories, and must center attention mainly on his extremely able presentation of facts and precedents.

Evidence of the structural defect of this book is to be found in the table of contents. The main divisions of the subject indicated are Part I, Relation between State and Citizen, State and Alien, and between State and State; Part II, The Exercise of Diplomatic Protection; Part III, The Object of Protection—the Person and Property of Citizens; and Part IV, Limitations on Diplomatic Protection. This arrangement proves to be more or less arbitrary and artificial. The same topics keep reappearing in all these main divisions of the subject, without complete treatment in any one place, or—it should incidentally be remarked—without adequate cross references. The subject of nationality, for example, is treated in Part III (most admirably), but we find in Chapter 2 of Part IV, a most important presentation of the question of expatriation, certainly a vital aspect of nationality. It is difficult to understand the reasons for so scattered a treatment of essentially one and the same subject.

In spite of these strictures, one cannot fail to recognize the immense value of Dr. Borchard's work. It should prove an authoritative manual of reference for diplomats, consuls, lawyers, teachers and students of

international law. It might well serve as the basis for an advanced course of study and research in that field. Supplementing with fresh and well chosen material the Digest by John Bassett Moore, to whom the book is most appropriately dedicated, this work should prove of the greatest importance in the immense task of crystallizing and formulating those exact principles and rules of international law which shall control the conduct of nations.

A general conclusion from a survey of the immense variety and complicated character of the multitudinous questions which give reasonable ground for international controversies, as set forth in Dr. Borchard's book, is that the field of international law is infinitely more extended and involves much more definite subject matter than has been heretofore realized. One is led to see that the attempt to classify as matters of Private International Law, or mere Conflict of Law such questions as relate to rights of nationality, domicile, etc., which at any moment may properly give rise to diplomatic intervention, is illogical and preposterous. When the nations of the world come to realize that the requirements for peaceful intercourse demand that they should reach definite agreements on all these matters and such other matters as the rights of foreign creditors, and the liability of a state for tortious acts, a comprehensive work of the character of Dr. Borchard's will prove of great practical value in aiding in the task of reaching international agreements of various kinds, whether of specific conventions on particular topics, or of statutes and codes of a legislative nature. It is undoubtedly an important contribution to the literature of international law.

PHILIP MARSHALL BROWN.

Outline of International Law. By ARNOLD BENNETT HALL.
(Chicago: LaSalle Extension University. 1915. Pp. v, 255.)

The conjunction of the subject International Law with the name of Hall is most suggestive. The author states in the preface: "This volume is intended as a brief, non-technical statement of the underlying principles of international law. It is not written for the specialist, but designed solely for the general student and reader who is interested in the world problems of the day." He further states his belief "that an elementary statement of the legal principles involved would facilitate the popular study and understanding of these problems."

Mr. Hall reveals a good grasp of his subject, and is clear in his state-